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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,729	02/02/2001	Jean-Rene Rousseau	Q063000	7013

23373 7590 11/09/2005

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EXAMINER	
LY, NGHI H	

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/773,729	ROUSSEAU, JEAN-RENE	
	Examiner	Art Unit	
	Nghi H. Ly	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. In view of the Applicant's amendment filed on 07/15/2005, the Office action mailed on 10/03/2005 is hereby vacated and withdrawn.

Drawings

2. The drawings were received on 02/02/2001. These drawings are acceptable.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leslie et al (US 6,404,775) in view of Tanaka et al (US 6,263,061) and further in view of Evans et al (US 5,448,619) and Monica et al (US 5,459,761).

Regarding claim 1, Leslie teaches telecommunication equipment for setting up local telephone connections between at least one mobile telephone belonging to two-different network (see fig.2, wireless connection between base station 114 and antenna 128, and see wireless connection between subscriber 218 and antenna 140), the equipment comprising:

a downstream radio access system for setting up a downstream link to a base transceiver station of a first public mobile telephone network (also see fig.2, wireless connection between base station 114 and antenna 128), and

an upstream radio access system for setting up an upstream link to a mobile telephone of the second public network (also see fig.2, wireless connection between subscriber 218 and antenna 140),

wherein the upstream system and the downstream system apply the same mobile telephone standard, which is that of the first public mobile telephone network (see column 6, lines 4-25, and see column 16, lines 5-30, and see column 4, lines 33-64),

and the equipment further comprising a service signal converter module between the upstream system and the downstream system (see column 5, lines 11-32) adapted to:

repeat signals received from the upstream and downstream systems and adapt the received signals to suit the characteristics of the downstream and the upstream link, respectively (see column 15, lines 51 to column 16, line 5), and

extract from the signaling information belonging to the second network (Leslie, column 4, lines 48-51, see "extracting timing information from signals" and see column 14, lines 2-6).

Leslie does not specifically disclose extract from the signaling information specific to the mobile telephones belonging to the second network and used to manage

calls between the terminals of the second network and store that information in a local database.

Tanaka teaches extract from the signaling information specific to the mobile telephones belonging to the second network (column 1, lines 10-15, see "public network" and "private branch exchange", and column 20, lines 58-67, see "extracts"), and used to manage calls between the terminals of the second network (column 20, lines 58-67, see "used for the subsequent call processing") and store that information in a local database (see column 22, lines 27-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Tanaka into the system of Leslie in order to provide a digital key telephone system capable of expanding or realizing various functions (see Tanaka, column 1, lines 60-63).

The combination of Leslie and Tanaka does not specifically disclose a telecommunication equipment for setting up local telephone connections between at least one mobile telephone belonging to a private network and a public network.

Evans teaches a telecommunication equipment for setting up local telephone connections between at least one mobile telephone belonging to a private network and a public network (see column 3, line 65 to column 4, line 12, and see column 3, lines 33-43 and fig.1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Evans into the system of

Leslie and Tanaka so that a private system wireless subscriber can be able to access the public cellular system.

The combination of Leslie, Tanaka and Evan does not specifically disclose a telecommunication equipment for setting up local telephone connections between at least one mobile telephone belonging to only a private network and a public network.

Monica teaches a telecommunication equipment for setting up local telephone connections between at least one mobile telephone belonging to only a private network and a public network (fig.2, see only "private off-site network 209", also see "public network 212").

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Monica into the system of Leslie, Tanaka and Evan in order to provide a method and apparatus that enable continuous service in a trunked communication system (see Monica, column 2, lines 14-16).

Regarding claim 2, Leslie further teaches characterized in wherein the downstream system comprising means for simulating mobile terminal links (column 4, lines 33-51, see "forward").

Regarding claim 3, Leslie further teaches the upstream system means for simulating base transceiver station links (column 8, lines 57-65, and column 12, lines 35-67, see "reverse").

Regarding claim 4, Leslie further teaches the downstream system or the converter module includes a plurality of modules for identifying public mobile telephone

network users, and wherein the converter module comprises means for choosing one or more identification modules (see column 28, lines 1-17).

Regarding claim 5, Leslie further teaches choosing the modules used which are controlled in accordance with a criterion related to a contract of the user (see column 4, line 52 to column 5, line 11).

Regarding claim 6, Leslie further teaches the converter module means for: detecting, by means of a database, that the user of a mobile telephone terminal has a contract with the GSM public network and for carrying out transfer without using any of the subscriber resources of the downstream system (see column 24, lines 30-54).

Regarding claim 7, Leslie further teaches the upstream system further comprises means for connecting a DECT or landline telephone (column 15, lines 29-35 and column 23, lines 35-40, see "DECT").

Regarding claim 8, Leslie further teaches the upstream system comprises a radio transceiver and electronic circuits, and wherein said radio transceiver and said electronic circuit set up upstream GSM links with at least one local GSM cellular telephone (see column 16, line 59 to column 17, line 5).

Regarding claim 9, Leslie further teaches the downstream system comprises a radio transceiver and electronic circuits and wherein said radio transceiver and said electronic circuits set up a downstream GSM link with a base transceiver station of the public GSM network (see column 16, line 59 to column 17, line 5).

Regarding claim 10, Leslie further teaches the information extracted from the signaling comprises: a type of a call, wherein the type of the call comprises one of an

outgoing call from a mobile and an incoming call received from a mobile, a nature of a call, wherein the nature of the call comprises voice or data and a user identifier (see column 20, lines 1-13), wherein the user identifier comprises an international mobile subscriber identifier or a temporary mobile subscriber identifier (see column 28, lines 13-17 and see column 29, lines 34-44).

Regarding claims 11 and 12, Leslie further teaches the information extracted from the signaling is extracted from the signaling by a signaling capture and a processing card, and wherein said signaling capture and said processing card process the signaling in order to format it for use by said service signal converter module (see column 15, lines 52-64).

Regarding claim 13, Leslie further teaches the information stored in the local database comprises: a location information, a temporary mobile subscriber identifier, an encryption key, an authentication key, a result of a calculation performed in the public network to authenticate a user, and an identity of algorithms used for encryption and authentication (see column 24, lines 24-29 and column 28, lines 34-37).

Regarding claim 14, the combination of Leslie, Tanaka and Evan does not specifically disclose the upstream system further comprises means for connecting a landline telephone.

Monica teaches the upstream system further comprises means for connecting a landline telephone (see Monica, fig.2, line 210).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Monica into the system of

Leslie, Tanaka and Evan in order to provide a method and apparatus that enable continuous service in a trunked communication system (see Monica, column 2, lines 14-16).

Regarding claim 15, the combination Leslie, Tanaka, Evan and Monica teaches telecommunication equipment according to claim 1. The combination Leslie, Tanaka, Evan and Monica does not specifically disclose information extracted from the signaling comprises a user identifier, wherein the user identifier comprises an international mobile subscriber identifier. However, the examiner takes Official Notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art a the time the invention was made to modify the above teaching of the Leslie, Tanaka, Evan and Monica for providing a method as claimed, for identifying the subscriber.

Regarding claim 16 the combination Leslie, Tanaka, Evan and Monica teaches telecommunication equipment according to claim 1. The combination Leslie, Tanaka, Evan and Monica does not specifically disclose the information extracted from the signaling comprises a user identifier, wherein the user identifier comprises a temporary mobile subscriber identifier. However, the examiner takes Official Notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art a the time the invention was made to modify the above teaching of the Leslie, Tanaka, Evan and Monica for providing a method as claimed, for identifying the subscriber.

Response to Arguments

5. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

On page 10 of Applicant's remarks, Applicant argues that "Leslie does not teach and is incapable of suggesting that the upstream system and the downstream system apply the same mobile telephone standard, which is that of the public mobile telephone network, as claimed in claim 1".

The Examiner, however, disagrees. Leslie does indeed teach Applicant's claimed limitation (Leslie, see fig.2, upstream 224 and the downstream 226 or upstream 120 and the downstream 122, and the base station 114 inherently connects to the public mobile telephone network). In addition, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., same mobile telephone standard) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

On page 12 of Applicant's remarks, Applicant argues that "Tanaka does not disclose or suggest the claimed mobile telephones belonging to the private network" and "Tanaka does not disclose or suggest the use of mobile telephones belonging to a private network, Applicant submits that Tanaka does not teach and is incapable of suggesting a service signal converter module adapted to extract from the signaling information specific to the mobile telephones belonging to the private network and used

to manage calls between the terminals of the private network and store that information in a local database, as required by claim 1".

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, Leslie and/or Evan and/or Monica teaches the claimed mobile telephones belonging to the private network, Tanaka teaches a service signal converter module adapted to extract from the signaling information specific to the telephones belonging to the private network and used to manage calls between the terminals of the private network and store that information in a local database and the combination of Leslie, Evan, Tanaka and Monica teaches Applicant's claimed invention.

On page 14 of Applicant's remarks, Applicant argues that "the cited references do not teach choosing the modules used which are controlled in accordance with a criterion related to a contract of the user".

In response, Leslie inherently teaches "choosing the modules". If not, as alleged by the Applicant, the system of Leslie would not operate in accord with Leslie's invention.

On page 15 of Applicant's remarks, Applicant argues that "there is no disclose or suggestion in the cited portion or any other portion of Leslie that the database 690 detects that a user of a mobile 218 has a contract with a GSM public network", as claimed.

In response, Leslie inherently teaches "the database 690 detects that a user of a mobile 218 has a contract with a GSM public network" (see Leslie, column 24, lines 52-54, see "the link manager processor 550 can update the mobile registration database from time to time"). If not, as alleged by the Applicant, the system of Leslie would not operate in accord with Leslie's invention.

On page 16 of Applicant's remarks, Applicant argues that "Leslie does not disclose telecommunication equipment, wherein the converter module comprises means for carrying out transfer without using any of the subscriber resources of the downstream system".

In response, Leslie inherently teaches telecommunication equipment, wherein the converter module comprises means for carrying out transfer without using any of the subscriber resources of the downstream system (see column 5, lines 11-16 and column 28, lines 1-5). If not, as alleged by the Applicant, the system of Leslie not would operate in accord with Leslie's invention.

On pages 16 and 17 of Applicant's remarks, Applicant argues that "the cited references do not teach the information stored in the local database comprises, inter alia, an encryption key, an authentication key, a result of a calculation performed in the public network to authenticate a user, and an identity of algorithms used for encryption and authentication".

In response, Leslie teaches registration (see column 24, lines 24-29 and column 28, lines 34-37), the teaching of Leslie inherently teaches authentication, and in order to store in the local database (see column 24, lines 52-54), the teaching of Leslie

inherently teaches an encryption key, an authentication key. If not, as alleged by the Applicant, the system of Leslie not would operate in accord with Leslie's invention.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

11/04/05

CHARLES APPIAH
PRIMARY EXAMINER